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AN ADDRESS

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TO THE

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PEOPLE AND CONGRESS

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OF THE

UNITED STATES.

Historical part Kentucky

LOUISVILLE, KENTUCKY:

PRINTED AT THE OFFICE OF THE DEMOCRAT.

1863.

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AN ADDRESS
TO THE
PEOPLE AND CONGRESS
OF THE
UNITED STATES.

In response to numerous inquiries addressed to us from every quarter, we ask leave to submit to the people of the United States the following paper, in explanation of the canvass which preceded the recent election in Kentucky, and of the causes which led to its most unexpected result—unexpected not so much by ourselves who had from sad experience already learned the extreme and desperate character of the measures that would be resorted to by the Administration party to suppress the voice of our people, as by those of you who, living in less troubled regions, had not realized the extent to which a determination to retain power would lead its possessors.

In the last days of August, 1862, the Hon. Beriah Magoffin resigned his office as Governor of the State of Kentucky. From causes into which it is not necessary now to enter, he had incurred the suspicion of a great majority of the Union party, and through the Legislature, they had succeeded in divesting him of all real power in the Government. The Executive control of the State had rapidly fallen into the hands of the military officers of the United States, and for months the people had been subject to martial law in all its oppressiveness, without its declaration in form. Under these circumstances, and for the purpose of relieving the people, and especially that portion of them known as "Southern Rights Men," who had been the peculiar objects of persecution, Mr. Magoffin in a published letter declared his willingness to resign whenever he could be assured of the selection of a successor of conservative views, who, commanding the confidence at the same time of the Administration at Washington and of the people of Kentucky, would be able and willing to secure every peaceful citizen in the exercise of the rights guaranteed to him by the Constitution and laws. The Honorable James F. Robinson, then a member of the Senate, was indicated to him, and he consented to resign in his favor. The then Speaker of the Senate resigned, and Mr. Robinson having been elected in his stead, became by virtue of his office the acting Governor of the State upon the resignation of Mr. Magoffin. The new Governor was, from the beginning, fully informed of the character and purpose of the negotiation which paved the

way to his succession, and he entered upon the discharge of his duties with the best wishes of the great mass of our people.

These events gave rise to the most pleasing anticipations, which were strengthened by the first acts of the new regime. Early in September the State was invaded by Confederate troops, who held possession for six weeks of the greater portion of its territory. The people, content with, and hopeful of the new order of things, gave them little encouragement and but few recruits, so that by the first of November they were driven from our borders. But contrary to all our hopes, winter brought with it a renewal of military government; orders issuing from military officers of every grade imposed daily more stringent regulations upon our commerce with other loyal States; wider signification was given to the term "disloyal," by which the victims were marked out for oppression; arrests without warrant and imprisonment without trial became once more the established system of justice; the property of suspected persons was again seized and appropriated to the use of the army without compensation; the civil power was of course to be not more effective in the hands of Mr. Robinson than in those of his predecessor, and spring found the rights of person and property even more insecure than in the darkest hours of the previous year.

The Legislature, composed mainly of the personal and political friends of Governor Robinson, during their session in the winter, had passed resolutions of a strongly conservative character, in which they declared, among other things:

1st. That our institutions are assailed by an armed rebellion on one side, which can only be met by the sword, and on the other by *unconstitutional acts of Congress and startling usurpations of power by the Executive, which we have seen by experience can be corrected by the ballot box.*

2. That Kentucky is and ever has been loyal to the Government of the United States.

3. That we recognize a manifest difference between any administration of the Government and the Government itself.

4. Solemnly protests against the emancipation proclamation as unwise, unconstitutional and void.

5. That the power recently assumed by the President, whereby, under the guise of military necessity, he has proclaimed and extended martial law over States where war does not exist and has suspended the writ of habeas corpus is unwarranted by the Constitution, and its tendency is to subordinate civil to military authority, and to subvert constitutional and free government.

8. That Kentucky will adhere to the Constitution and the Union as the best, and it may be the last, hope of popular freedom.

9. Hails with manifest pleasure the recent manifestation of conservative sentiment among the people of the non-slaveholding States.

10. Recommends the call of a National Convention to propose amendments to the Constitution.

11. Declares that the laws of this State must be maintained and enforced, and that it is the duty of the constituted authorities of the State to see to

it that by all constitutional means this indispensable end shall be attained.

These resolutions were signed and approved by the Governor.

In February the Central Committee of the Democratic party, appointed some years since under its old organization, issued a call for a convention to meet in Frankfort, to nominate candidates for the various offices to be filled at the August election. With this call we had no connection, and we neither attended the meeting nor approved of its expected action. Upon its assemblage, and before any business had been transacted, the meeting was dispersed by Col. Gilbert, then commanding a regiment of United States troops at Frankfort.

The Convention of the so-called "Union Democratic" party met in Louisville on the 18th of March. One of their first acts was to refuse a hearing to a Northern Democrat—the Hon. Mr. Cravens, of Indiana—a member of that great party whose manifestations of conservative sentiment had so recently been hailed with pleasure by the Legislature. They readopted as part of their platform all the resolutions passed by the Legislature, and nominated as their candidate the Hon. J. F. Bell. After long hesitation, Mr. Bell declined the candidacy, and the Central Committee of his party substituted in his stead Mr. Bramlette, who had been the frequent recipient of office from the Administration, and had been generally regarded as a supporter of its policy.

Under these circumstances, and early in the month of June, a letter was written by one of us residing in the interior of the State to another residing in Louisville, in which it was suggested that a meeting of conservative Union men should be called, for the purpose of consultation as to the proper course to be pursued by them.

Before our meeting was held, Mr. Bramlette had already taken the stump, and though the newspapers of his party exercised a prudent caution in refraining from publishing a report or even a notice of his speeches, we were not without information of their character. The platform of that party to which he owed his nomination denounced as startling usurpations of power the suspension of the writ of habeas corpus and the extension of martial law over States where war did not exist. We learned that on the contrary, Mr. Bramlette maintained in argument the rightfulness of these measures. The platform denounced the emancipation proclamation as unwise, unconstitutional and void. Mr. Bramlette contended that it was valid as a war measure, though he regarded it as impolitic. The platform hailed with pleasure the recent manifestations of conservative sentiment at the North, while Mr. Bramlette denounced those whom he derisively termed Constitutional Union men quite as violently as the Secessionists, and finally, he threatened with the tender mercies of the provost marshal all such malignants as should perversely refuse to vote for him, even though he was without a competitor.

Under these circumstances, it will surprise no one that on meeting we found ourselves agreed in approving, with some exceptions, the resolutions of the "Union Democratic" Convention, but equally agreed in distrusting the sincerity of the men by whom the resolutions had been adopted, and

particularly of the candidate by whom, if at all, they were to be enforced. We therefore determined to present a ticket in opposition, and agreeing without difficulty upon the principles by which our candidate should be guided, we addressed to the Hon. Charles A. Wickliffe the letter which will be found in our appendix, marked No. 1. That letter fully explains our purpose and our policy. Whether they were "disloyal" in any sense of that much-abused term, we leave to every candid reader to determine for himself.

Mr. Wickliffe, in a published letter expressed his hearty concurrence in our views. He accepted with reluctance the position we had assigned him, and we proceeded to place a full ticket in the field. Few did more than Mr. Wickliffe to maintain the fidelity of Kentucky to the Constitution and Government of the United States, and he has not changed his principles or policy.

We were at once assailed by the Administration press with every species of misrepresentation and abuse. Not daring to assail any position taken in our letter to Mr. Wickliffe (which they refused to publish), they adopted the safer course of attributing to us purposes which they knew we did not entertain. Though it was perfectly well known to them that we, the signers of that paper, had been active and consistent members of the Union party, when such a position was accompanied with some danger and no prospect of advantage, we were denounced as Secessionists in disguise, at a time when secession, partly through our own efforts, had become a dead issue in Kentucky. We had but a single newspaper in the State to advocate our cause. We could not attempt an active canvass of the State, for we were well aware that such a canvass would expose to the Administration party its perilous position, and thus precipitate that military interference in the election which we were most anxious to avoid. In this manner and from these causes many persons in the State—many more abroad—were led into a misapprehension of our purposes, and made to believe that secession was our real aim. Knowing our strength, however, we were content to lose a few of our friends for the time, in the hope of securing a free election, which would give us the means of recovering them by a development of our true policy.

(It is very frankly admitted that we hoped and expected to obtain the support of the great mass of the Southern Rights men of the State. They were for the most part Democrats of long standing. Though classed by the adherents of the Administration as "disloyal," the great majority of them were not Secessionists, and were entirely free from all complicity in the rebellion. So far from esteeming it a fault of which we should be ashamed, we regarded the effort to conciliate them, if it could be done without a sacrifice of principle on either side, as highly meritorious; and we now gratefully acknowledge the cordial support which that portion of our fellow-citizens were ready and anxious to yield to our platform and candidate whenever permitted to do so. Would to God that all the citizens of

our once happy country could be brought to agree and be satisfied. If the wildest Secessionist in South Carolina could be induced to give his support to the principles enunciated in our letter to Mr. Wickliffe, who would not regard the occurrence as one worthy of general rejoicing?)

In a short time it became evident that misrepresentation alone was not sufficient to secure our defeat, and Messrs. Wolfe and Trimble, our candidates for Congress in the First and Fifth Districts, and Mr. Martin, candidate for the Legislature in Lyon and Livingston counties, were arrested by Provost Marshals. The first named gentleman was speedily released on parole, and the two last were carried to Henderson, a considerable distance from their homes, and there detained until the election was over.

On the 10th day of July, Gov. Robinson issued the proclamation which will be found in the Appendix, marked No. 2. It had never before occurred to a Governor of Kentucky that it was necessary to remind the judges of election by proclamation of the duties enjoined upon them by the laws of the State. They had always been presumed to know their duty, and been left free to discharge it without executive interference. The expatriation act to which he called their attention had been printed with the other acts of the Legislature and circulated by public authority in every county of the State. It had been published in every newspaper, and the provisions of no law were more widely known to our people. Why it should have been thought proper to depart from the established custom in this instance, or why, when such departure was determined upon as now necessary for the first time, the proclamation should have failed to embody for the information and guidance of the judges those other laws which forbid any interference with the freedom of elections, and denounce severe penalties upon any judge who should refuse to receive the vote of a legally qualified elector, are questions which we leave the reader at liberty to decide for himself, after learning all the facts attending and following the issue of the paper.

On the 31st day of July, General Burnside issued his proclamation (Appendix, No. 2) placing the State under martial law, for the purpose, as he declared, "of preserving the purity of elections as defined in the late proclamation of his Excellency, the Governor of Kentucky." The reason assigned by Gen. Burnside for the issuance of his proclamation that "the State of Kentucky is invaded by a rebel force with the avowed purpose" of controlling the elections, was a mere pretext, without real foundation, though we have reason to believe that such information was conveyed to the General by citizens of this State, acting on behalf of the Administration party. The "invaders" to whom he referred were a flying body of cavalry less than one thousand in number, known to be in rapid retreat at the time the proclamation was issued, and were all actually out of the State before the election began.

Upon the most careful inquiry we have been unable to ascertain that they avowed any such purpose as was attributed to them, nor do we believe that they did so. But the avowal of such an intention by such a body of men,

even had it been made, would have been an idle and ridiculous boast to which it is impossible General Burnside could have attached any importance. That one thousand marauders should seriously contemplate a control of the election in a State containing one hundred and ten counties, inhabited by one hundred and eighty thousand voters, and *protected* by more than fifty thousand soldiers of the United States, is an absurdity so glaring that Gen. Burnside must pardon us for believing that it could not have gulled even him!

In quick succession preceding or following the declaration of martial law, came the different orders in the appendix numbered from four to twelve. Many others of similar character were issued, but these are a fair sample of the whole. These orders, differing in their details, may be briefly summed up as presenting the following points:

1. By way of precaution the people are informed that whenever any property is needed for the use of the United States Army, it will be taken from *rebel sympathizers*, and receipts given for the same, marked "disloyal," and to be paid at the end of the war, on proof that the holder is a loyal man.

2. Rebel sympathizers are defined to be not only those who are in favor of secession, but also those who are not in favor of a vigorous prosecution of the war and of furnishing men and money unconditionally for that purpose. "Loyalty" is to be proved by the vote given at the election.

3. County Judges are required to appoint none but "loyal" men as judges of election, notwithstanding the provisions of our law, which requires the officers of election to be taken equally from each political party.

4. Persons offering to vote, whose votes may be rejected by the judges, are notified that they will be immediately arrested by the military.

5. The judges of election are notified that they will be arrested and held responsible by the military, should they permit any disloyal men to vote.

6. The Democratic ticket is struck from the poll books at many points, as being composed of disloyal men.

7. Oaths unknown to the Constitution and laws are required to be taken by voters and judges.

A careful perusal of the orders themselves will show that they have not been misrepresented in this summary. Examine carefully, fellow-citizens: we beseech you, the picture which they present. The Governor of Kentucky calls the attention of the judges to a single one of many laws which define their duty, and that one a law whose rigid enforcement was supposed to be beneficial to his own political party and injurious only to his opponents. General Burnside enforces the proclamation for the purpose of preserving the purity of elections, and (while himself threatening the judges of election should they permit a disloyal vote to be cast) directs that the soldier shall interfere no further than may be necessary to enable the judges to discharge their duties under the laws of Kentucky. His subordinates threaten

the judges and voters with confiscation, arrest and imprisonment, and actually publish their orders and carry out their threats without punishment from the General or remonstrance from the Governor.

In addition to all this there was at work beneath the surface a potent machinery, whose labors could be traced only by results, for the work was done in darkness and in secret.

In every city, town and considerable village in the Commonwealth, there had long been organized, under the authority of the Secretary of the Treasury, a body of men known as a "Board of Trade," an innocent title, little expressive of their true functions. Under the same regulations of the Secretary no shipments of goods to the interior of the State could be made without the *permit* of the United States Customhouse officers at Cincinnati or Louisville. In order to obtain such a permit the individual applying must have procured the recommendation of the "Board of Trade" located nearest to his place of business, and that recommendation was given to none but "loyal" men, each Board establishing its own test of "loyalty." Without such recommendation no merchant could hope to add to his stock by importation—no mechanic to replenish the materials necessary in his calling. These inquisitorial bodies, therefore, held in their hands the absolute fate of every tradesman and mechanic in the State. The prosperous merchant and needy shop-keeper were alike at their mercy. The tradesman and mechanic were thus left to choose between a vote for Mr. Bramlette and the utter ruin of their business.

Such, fellow-citizens, were the circumstances under which the election of August 3d was begun. Its result was no longer doubtful. Had General Burnside designated by name the individuals who should fill the various offices of the State, he would have saved us the expense and trouble of an "election"—the rights of the people would not have been more flagrantly violated, nor would the officials thus appointed have been any more the creatures of his will than are those whom he has more indirectly imposed upon us.

The limits to which we are confined forbid any attempt at a detailed account of the manner in which the "election" was conducted. The military orders before referred to were carried out with rare fidelity by those to whom their execution was entrusted. A few officers (to their lasting praise be it spoken) openly expressed the shame they felt at their connection with such a task. Armed soldiers were stationed at every considerable poll. The judges of election were, contrary to law, taken exclusively from the ranks of our opponents. Many weak men, apprehensive of injury to person and property, cast their votes for Mr. Bramlette in violation of their convictions. The votes of many more, when offered for our candidates, were illegally rejected. Thousands of others were deterred from an attempt to vote, by the knowledge that illegal tests would be applied to them, their votes refused, and themselves probably arrested. The names of our candidates were illegally stricken from the poll-books at many precincts, and never placed upon them at others. Judges were arrested for refusing to conduct the

election in a manner forbidden by the laws of Kentucky and their own oath, and voters were imprisoned for the high crime of confessing themselves *Democrats*.

These are sweeping charges, but they can readily be substantiated. That we may not be supposed to avoid specification, we publish in the appendix (marked No. 16) a statement showing the outrages perpetrated at different points in more than twenty counties. Our materials are ample to swell the list almost indefinitely, but these will be sufficient to indicate the general character of the whole. The facts stated are, some of them, within our personal knowledge—the remainder have been communicated to us by gentlemen in whose veracity we have entire confidence, and whose names are in our possession. We particularly invite your attention to the report of Major Gibson, the certificates of Captain Leeson and Sergeant Brown, and the protest of the Hon. Charles A. Wickliffe, official documents whose correctness even our opponents will not question. They are numbered 3, 13, 14 and 15 in the appendix.

In connection with these statements, and as fully supporting them, we publish in the appendix (marked No. 17) a table showing the official vote cast for each candidate for Governor, and in parallel columns the total vote cast, and the number of white males over twenty-one years of age in each county. It will be perceived that the whole number of votes cast was 84,930, of which Mr. Bramlette received 67,586, while the number of persons entitled to vote was 182,246. The votes of over ninety-seven thousand citizens were, therefore, unpolled. How these votes would have been cast had the election been untrammelled, is a question which we think every candid reader of this paper has already determined in his own mind. We have shown that every species of inducement was offered to allure the voter to the one party—every means of intimidation and violence had been used to prevent his support of the other. We now leave our readers to draw their own conclusions as to the direction in which the unpolled vote would have been cast had all external influence been removed.

Returning to the table of the vote cast, it will be perceived that in twelve counties not a single vote was permitted to be cast for Mr. Wickliffe. In eight others he received less than ten votes to the county. In fifteen others he received less than fifty votes to the county. In sixteen others he received less than one hundred votes to the county. These fifty-one counties embrace many of the strongest Democratic counties in the State.

In only twenty-eight counties of the State did Mr. Bramlette receive a majority of the population entitled to vote. Less than two-fifths of the population entitled to vote have made him Governor of Kentucky.

It is contended by the Administration press that the deficiency in the vote cast is attributable to the absence of many Kentucky soldiers in the army of the United States, all of whom would have voted for Mr. Bramlette, and the enlistment of others in the Southern armies, who have thereby lost the right to vote. On this point we have to say—

First. That the number of white males over twenty-one years of age, as published in our appendix, is taken from the Auditor's report for 1862, and

notwithstanding the accession of thousands of young men to the age of maturity in the meantime, it is nine thousand less in number than was reported by the Auditor for 1861. The falling off can be accounted for in no other way than by the fact that the soldiers who had left their homes to join either army, in the fall of 1861, were dropped from the returns and are not included in the Auditor's report for 1862.

Secondly. That hundreds of those who were known to be friendly to the Administration were furloughed and sent home to vote.

Thirdly. That a large number of Kentuckians in the United States army are under twenty-one years of age, and therefore not entitled to vote; and lastly, that they are very far from being unanimous in support of Mr. Bramlette or the Administration.

We have said, however, that our object is to state what *has* happened, not to speculate upon what might or would have happened in contingencies which did not occur. To all such speculations on the part of our opponents we answer by a single question: *If the majority of the people were in favor of your candidates, why resort to illegal and unconstitutional means to disfranchise us?*

It will have already occurred to the intelligent reader that an election thus carried should have been contested. The Constitution of Kentucky provides that "all elections shall be free and equal," that the privilege of free suffrage shall be supported by laws regulating elections and "*prohibiting, under adequate penalties, all undue influences thereon from bribery, tumult or other improper practices,*" and that "contested elections for Governor and Lieutenant Governor shall be determined by the General Assembly, according to such regulations as may be established by law." Surely the spirit of these provisions would avoid any election such as we have described. Unfortunately, however, the laws enacted in conformity with them impose penalties upon the *persons* guilty of the offenses against the right of free suffrage, enumerated in the Constitution, without providing that the validity of the election itself shall be in anywise affected by the commission of such offenses. Our lawgivers did not contemplate the possibility of a forcible interference so extensive as to taint the whole election; and so, in establishing a Board for the trial of contested elections, they made no provision for such a contingency, but simply directed that "the candidate receiving the *highest number of legal votes given*" should be adjudged to be the person elected.

As the investigation is thus limited to the number of *legal votes given*, it matters not how many men were driven into the support of Mr. Bramlette by threats of military violence, nor how many others were deterred from voting for Mr. Wickliffe by the knowledge that their votes, if offered, would not be received. The arrest of Judges and voters, the erasure of the names of candidates from the poll-books, the administration of illegal oaths—all these, too, are wrongs which do not so affect the validity of an election as to be available in a contest before the tribunal established by law—a tribunal, be it remembered, whose own seats had been obtained by the same practices upon which their judgment was to be asked. Considerations like these constrained us reluctantly to abandon all idea of contesting the elec-

tion, and have left us without other remedy than this appeal to the sober judgment of the people.

On the 1st day of September Mr. Bramlette took the oaths and entered upon the discharge of the duties of the office to which he had thus been elected. His inaugural address lies before us, and while to many of his positions we can make no objection, there are passages to be found in it which strikingly illustrate the correctness of the suspicions which led us to nominate a candidate in opposition to him. He continues to defend the rightfulness of military arrests without limiting his argument to the theater of hostilities. He maintains the right to restrain the publication of newspapers when "reasonable grounds" exist to believe that they have been guilty of, or are about to commit, acts to the danger of the public security, without intimating who is to decide upon the reasonable character of the suspicions. He objects to the *policy* of negro enlistments, but admits the existence of a rightful *power* in the Administration for that purpose. He denies the right of the people to limit or control the public expenditure in time of war. In these most important particulars he contradicts the platform of his party. He does far more; he denies to the citizen those invaluable rights of freedom from arrest without warrant, of free speech, of control over public supplies, for which the English people fought for five hundred years, and which our forefathers, inheriting from them, believed they had bequeathed to us inviolate forever.

We must not be suspected of any intentional misrepresentation of Mr. Bramlette's position on these vital points, and therefore conclude our appendix (No. 18) with four extracts from the printed copy of his address.

For the present, fellow-citizens, the fate of Kentucky is sealed. Her very devotion to the Constitution has been made the means whereby to deprive her people of every Constitutional right. Deceived and betrayed, she lies prostrate and helpless—wept by her friends—derided by her oppressors. But there is that in the spirit of her people which tells us it will not be for long. Like fabled Antaeus, who, each time he touched his mother earth, started up with redoubled strength, her fall will but invigorate her for a struggle yet to come. That her independence may be restored to her by the peaceful remedies of the Constitution, rather than by violent convulsion, must be the earnest prayer of every lover of his country.

We, therefore, present this address to the people of the United States, and especially to the Congress of the United States, soon to assemble; praying that body to adopt such measures as, in their judgment, will secure to the States adhering to the Union the freedom of election, without which the very basis of our liberties is destroyed.

W. A. DUDLEY,
NAT. WOLFE,
R. K. WHITE,
J. H. HARNEY,
W. F. BULLOCK,
JOSH. F. BULLITT,
R. C. PALMER,

Committee on behalf of the Democratic Party

APPENDIX.

No. 1.

LOUISVILLE, JUNE 13, 1863.

HON. C. A. WICKLIFFE—*Dear Sir:* The undersigned, in behalf of many in all parts of this Commonwealth, believe it a political necessity to reorganize the Democratic party in the State, in association with those of the North who have stood by the Government and the Constitution throughout this deplorable civil war. They constitute the only political party of the North with whom any party South will have any affiliation, whilst a political association between the two sections of the country is indispensable to a restoration of the Union.

We cannot consent to the doctrine that the Constitution and laws are inadequate to the present emergency; that the constitutional guarantees of liberty and property can be suspended by war.

Our fathers certainly did not intend that our Constitution should be a fair-weather document, to be laid away in a storm, or a fancy garment to be worn only in dry weather. On the contrary, it is in times like the present that constitutional restraints on the power of those in authority are needed.

We hold the Federal Government one of limited powers, that cannot be enlarged by the existence of civil commotion.

We hold the rights reserved to the States equally sacred with those granted to the United States. The Government has no more right to disregard the Constitutions and laws of the States than the States have to disregard the Constitution and laws of the United States.

We hold that the Administration has committed grave errors in confiscation bills, lawless proclamations and military orders setting aside Constitutions and laws, and making arrests outside of military lines where there is no public danger to excuse it.

It is now obvious that the fixed purpose of the Administration is to arm the negroes of the South to make war upon the whites, and we hold it to be the duty of the people of Kentucky to enter against such a policy a solemn and most emphatic protest.

We hold as sacred and inalienable the right of free speech and a free press; that the Government belongs to the people and not the people to the Government.

We hold this rebellion utterly unjustifiable in its inception, and a dissolution of the Union the greatest of calamities. We would use all just and constitutional means adapted to the suppression of the one and the restoration of the other.

Having observed your uniform and consistent course since the origin of our troubles, we believe you a faithful representative of our views, and

urgently request that you permit your name to be used as a Democratic candidate for Governor at the ensuing election.

Yours, respectfully,

W. F. BULLOCK,
ROBERT COCHRAN,
L. S. TRIMBLE,
THOS. P. HUGHES,
R. C. PALMER,
ALFRED HERR,
J. P. CHAMBERS,
WM. K. THOMAS,
WM. G. REASOR,
ROBT. K. WHITE,

J. H. HARNEY,
WM. KAYE,
N. WOLFE,
S. M. HALL,
JOHN HERR,
CHAS. L. HARRISON,
JOSH. F. BULLITT,
GEO. W. JOHNSTON,
ROBT. M. SMITH,
T. J. CONN,
W. A. DUDLEY,

W. P. SIMMONS,
JOHN T. BRIDGES,
T. J. HALL,
SAMUEL N. HALL,
PHIL. TOMPERT, Jr.,
JESSE F. HAMMON,
P. M. CAMPION,
W. H. BAILEY,
JACOB ABNEY,
J. H. PRICE.

No. 2.

PROCLAMATION BY THE GOVERNOR.

COMMONWEALTH OF KENTUCKY, }
EXECUTIVE DEPARTMENT. }

For the information and guidance of all officers at the approaching election, I have cause to be herewith published an act of the Legislature of Kentucky, entitled "An act to amend chapter 15, of the Revised Statutes, entitled 'Citizens, Expatriation and Aliens.'"

The strict observance and enforcement of this, and all other laws of this State regulating elections, are earnestly enjoined and required, as being alike due to a faithful discharge of duty, to the purity of the elective franchise, and to the sovereign will of the people of Kentucky, expressed through their Legislature.

Given under my hand as Governor of Kentucky, at Frankfort, this 10th day of July, 1863, and in the 72d year of the Commonwealth.

J. F. ROBINSON.

By the Governor: D. C. WICKLIFFE, Secretary of State.

CHAPTER 509.

AN ACT to amend chapter 15 of the Revised Statutes, entitled "Citizens, Expatriation and Aliens."

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That any citizen of this State who shall enter into the service of the so-called Confederate States, in either a civil or military capacity, or enter into the service of the so-called Provisional Government of Kentucky, in either a civil or military capacity, or having heretofore entered such service of either the Confederate States or Provisional Government, shall continue in such service after this act takes effect, or shall take up or continue in arms against the military forces of the United States or the State of Kentucky, or shall give voluntary aid and assistance to those in arms against said forces, shall be deemed to have expatriated himself, and shall no longer be a citizen of Kentucky, nor shall he again be a citizen, except by permission of the Legislature by a general or special statute.

SEC. 2. That whenever a person attempts or is called on to exercise any of the constitutional or legal rights and privileges belonging only to citizens of Kentucky, he may be required to negative on oath the expatriation provided in the first section of this act; and upon his failure or refusal to do so, shall not be permitted to exercise any such right or privilege.

SEC. 3. This act to be of force in thirty days from and after its passage. Passed and became a law, the objections of the Governor to the contrary notwithstanding, March 11, 1862.

We append hereto the order of Major General Burnside.

MARTIAL LAW IN KENTUCKY.

*General Orders No. 120.*HEADQUARTERS DEPARTMENT OF THE OHIO,
CINCINNATI, O., July 31, 1863. }

WHEREAS, The State of Kentucky is invaded by a rebel force with the avowed intention of overawing the judges of elections, or intimidating the loyal voters, keeping them from the polls and forcing the election of disloyal candidates at the election on the 3d of August; and, whereas, the military power of the Government is the only force that can defeat this attempt, the State of Kentucky is hereby declared under martial law and all military officers are commanded to aid the constituted authorities of the State in support of the laws and of the purity of suffrage, as defined in the late proclamation of His Excellency, Governor Robinson.

As it is not the intention of the Commanding General to interfere with the proper expression of public opinion, all discretion in the conduct of the election will be as usual in the hands of the legally appointed judges at the polls, who will be held strictly responsible that no disloyal person be allowed to vote, and to this end the military power is ordered to give them its utmost support.

The civil authority, civil courts and business will not be suspended by this order. It is for the purpose only of protecting, if necessary, the rights of loyal citizens, and the freedom of election.

By command of Major General Burnside.

LEWIS RICHMOND, A. A. G.

Official: R. H. I. GODDARD, A. A. A. G.

No. 3.

"*To Col. Butler:* Persons of open and avowed disloyalty will not be permitted to stand for office. The provisions of Gen. Burnside's order 120 must be strictly enforced.

"By command.

A. C. SEMPLE, A. A. G."

C. A. Wickliffe protests against the act by which his name was stricken from the poll-books, and the people denied the privilege of voting for him as a candidate for the office of Governor.

He states that he has ever been opposed to secession or a dissolution of the Union.

He is in favor of a restoration of the Union as it was under the present Constitution.

He has opposed the abolition of slavery as a war measure and the arming of negroes as soldiers of the army of the United States, and voted against the appropriation bill at the last session after the House refused to adopt the proviso offered by Mr. Mallory, providing, in substance, that no part of the money should be expended in freeing negroes, in arming and paying negroes as soldiers of the army. Mr. Crittenden, Mr. Mallory, Mr. Menzies, Mr. Harding, Mr. Yeaman, and Mr. Grider opposed the bill, and refused to vote for it for the same reasons.

I deny that I am disloyal to the Government or to the Constitution.

I request the judges to file this paper with the poll-books and returns.

C. A. WICKLIFFE.

The foregoing is a copy of a protest attached to poll-book No. 9, in Nelson county, now in our possession, as a board for examining the poll-books for Nelson county.

Attest:

T. P. LINTHICUM, J. N. C. C.
JAS. WOOD, S. N. C.

We, the judges of the election held at the courthouse in Bardstown, Nelson county, Ky., in Precinct No. 9, on this the 3d day of August, 1863, do certify that the names of C. A. Wickliffe, a candidate for Governor of Kentucky,

W. B. Read, candidate for the office of Lieut. Governor of Kentucky, were erased from the poll-books by Lieut. Col Butler, commanding the Fifth Regiment, Indiana Cavalry, U. S. Army, now with headquarters at this place, who would permit no voter to vote for said persons for said offices. The names of William Johnson, candidate for County Attorney, and Austin Mattingly, candidate for County Court Clerk were stricken from the poll-book in the manner aforesaid, and no person allowed to vote for them. E. E. McKay having notified us in writing, at the hour of ten o'clock in the morning that he was no longer a candidate for County Attorney, and that his name must be stricken from the poll-book, which was accordingly done.

We do further certify that the foregoing pages contain the votes polled at said precinct for the candidates whose names were not stricken off to wit: For Governor—Thos. E. Bramlette, 60 votes. For Lieutenant Governor—Richard T. Jacob, 60 votes. For Attorney General—John M. Harlen, 60. For Attorney General—Thomas Turner, 1 vote. For State Treasurer—James H. Garrard, 59 votes and H. F. Kalfus 1 vote. For Auditor—William T. Samuels 61 votes and Grant Green 1 vote. For Register of Land office—James A. Dawson 59 votes and Thos. J. Frazier 1 vote. For Superintendent of Public Instruction—Daniel Stevenson 59 votes and T. C. McKee 1 vote. For the Legislature—W. M. Elliott 66 votes. For Congress—Aaron Harding 61 votes and Wm. Heady 6 votes. For County Attorney—G. W. Hite 56 votes and E. E. McKay 19 votes. For County Court Clerk—W. J. Spalding 34 votes, John S. Bean 41 votes and W. M. Powell 6 votes.

MATHEW JUPIN, } Judges.
JONATHAN ROGERS, }
T. W. SAMUELS, Sheriff.
J. B. HACKLEY, Clerk.

The foregoing is a true copy of the certificate on the poll-book of precinct No. 9, in Nelson county, now in our possession as a board for examining the poll-books.

Attest:

T. P. LINTHICUM, J. N. C. C.
JAS. WOOD, S. N. C.

No. 4.

GEN. HARTSUFF AND REBEL SYMPATHIZERS.

HEADQUARTERS TWENTY-THIRD ARMY CORPS, }
LEXINGTON, KY., July 24, 1863. }

GENERAL ORDERS No. 14.—For the information and guidance of officers in impressing property, it is hereby directed that, whenever its impressment may become necessary for the troops of the Twenty-third army corps, it will be taken exclusively from rebels and rebel sympathizers; and so long as the property needed is to found belonging or pertaining to either of the above-named classes, no man of undoubted loyalty will be molested.

Among rebel sympathizers will be classed those persons in Kentucky, nominally Union men, but opposed to the Government and to the prosecution of the war, whose acts and words alike hinder the speedy and proper termination of the rebellion.

Property will only be taken by the proper Staff officers, who will in every case give receipts for it. Appropriate blank receipts will be furnished by the Chief Commissary and Chief Quartermaster at these headquarters.

By command of

Maj.-Gen. HARTSUFF.

GEO. B. DRAKE, A. A. G.

No. 5.

HEADQUARTERS UNITED STATES FORCES, }
SMITHLAND, KY., July 16, 1863. }

General Order.

The County Court Judges of the counties of Trigg, Caldwell, Lyon, Crittenden and Livingston, are hereby directed, in appointing Judges and Clerks for conducting the State elections in August next, to observe strictly the laws

of Kentucky, which require that such Judges and Clerks shall be *unconditional Union men*.

Judges and Clerks so appointed are hereby directed not to place the name of any person on the poll-books to be voted for at said election who is not a Union man, or who may be opposed to *furnishing men and money for a vigorous prosecution of the war* against the rebellion against the United States Government. The Judges and Clerks are further directed to permit no person to vote at said election without taking the oath required by the laws of Kentucky, unless said person so presenting himself to vote is personally known to the Judges to be a Union man.

Any person violating this order will be regarded as an enemy to the Government of the United States, and will be arrested and punished accordingly.

THOS. JOHNSON,

Lieutenant Colonel Commanding.

OATH

I do solemnly swear that I have never entered the service of the so-called Confederate States of America, and that I have not been engaged in the service of the so-called Provisional Government of Kentucky, either in a civil or military capacity, and that I have never, either directly or indirectly, aided in the rebellion against the United States or the State of Kentucky, so help me God.

No. 6.

HEADQUARTERS MILITARY COMMANDER, }
LOUISVILLE, KY., August 1, 1863. }

General Orders No. 1.

EXTRACT.

1. The loyal and peaceable citizens of the city of Louisville and Jefferson county may disabuse their minds of all apprehensions of evil at the coming election, notwithstanding the busily circulated rumors that a rebel force has invaded the State to molest the loyal men who may go to the polls to exercise their franchise rights.

All loyal citizens, who have not forfeited their citizenship, can safely and quietly cast their votes for the candidates of their choice; but all who have forfeited their right of citizenship under the provisions of the act of Assembly, who shall present themselves at the polls and fraudulently attempt to vote, will be immediately arrested by the guard detailed for that purpose at such precinct and confined in the military prison.

Reliable citizens, who know the record of each resident in the several precincts, will be in attendance to point out to the guard any who shall make the attempt to perpetrate a fraud against the election laws, and no dragging up to the polls, bantering, examining of tickets or other interference with the rights of the voting citizen by police officers or others will be permitted.

By order of Colonel M. Mundy, Military Commander.

C. C. ADAMS, Lieutenant and A. A. A. G.

No. 7.

HEADQUARTERS DISTRICT OF KENTUCKY, }
LOUISVILLE, July 25, 1863. }

By authority of the General commanding the Department, the following general order is made:

1. It is ordered that no forage or other property belonging to loyal citizens in the State of Kentucky be seized or impressed except in cases of absolute necessity, and then only on the written authority from the headquarters of the Twenty-third Army Corps or from these headquarters.

2. Whenever it becomes necessary to seize or impress private property for military purposes, the property of sympathizers with the rebellion and

of those opposed to furnishing any more men or any more money to maintain the Federal Government and suppress the rebellion, will be first seized and impressed.

3. The negroes of loyal citizens will not be impressed on the public works and military roads unless absolutely necessary. The negroes of citizens who are for no more men and no more money to suppress the rebellion, and the supporters, aiders and abettors of such, will be first impressed, and officers detailed for the purpose are required strictly to observe this order in the execution of their duties.

4. All horses of the enemy captured or subject to capture will be taken possession of by Quartermasters and reported to Captain Jenkins, Chief Quartermaster, Louisville, who is ordered to allow loyal citizens to retain horses to supply the places of those stolen by the enemy; but disloyal persons mentioned in paragraphs two and three, who encourage raids by the enemy, will not in any case be allowed to retain captured horses or horses justly subject to capture.

5. For all property seized or impressed proper and regular vouchers will be given, with indorsement as to the loyalty or disloyalty of the owners of the property.

By order of Brigadier General Boyle.

A. C. SEMPLE, A. A. G.

No. 8.

You will find inclosed a *verbatim, et literatim, et punctuatim* copy of an order served on the judges of the election at Threlkeld's precinct, Livingston county, Ky., the result of which was that no person after that time (one o'clock p. m.) was allowed to vote for Mr. Hodges, although several claimed the right to do so; besides, as the liberty of the voter was thus taken away, quite a number left the precinct, refusing and declining to vote unless they could vote for whom they pleased. One of the judges, Leroy Morris, has the original order, as follows:

"CRITENDEN COUNTY August 1863.

"I herby notify the Judges of the Election at threilcils Precinct not to enrol Bloont hodges name on the Pole-boock nor no other Dis Loyal man, nor let no Disloyal man vote.

"[Signed]

"JONATHAN BELT,

"Com. Co. C, 15th Ky. Cavalry."

A copy of the original order, certified by the judges of the election, Leroy Morris and Wm. S. Davis, attested by the clerk, was given by said judges, and has been placed in the hands of the Sheriff of the county.

Mr. Blount Hodges, the opposing candidate to N. R. Black for the Senate, so far as the officer of the election knew, or was informed, is as loyal a citizen as any man in Kentucky, but not an Abolitionist.

Henry B. Yates, John Springs and James Dial, professing to be members of Belt's command (that of Captain) were bearers of the order.

No. 9.

HEADQUARTERS UNITED STATES FORCES, }
HENDERSON, KY., July 28, 1863. }

General Order No. 12.

In order that the proclamation of the Governor and the laws of the State of Kentucky may be observed and enforced, Post Commandants and officers of this command will see that the following regulations are strictly complied with at the approaching State election:

None but loyal citizens will act as officers of the election.

No one will be allowed to offer himself as a candidate for office, or be voted for at said election, who is not, in all things, loyal to the State and Federal Governments, and in favor of a vigorous prosecution of the war for the suppression of the rebellion.

The judges of the election will allow no one to vote at said election unless he is known to them to be an undoubtedly loyal citizen, or unless he shall first take the oath required by the laws of the State of Kentucky.

No disloyal man will offer himself as a candidate or attempt to vote, except for treasonable purposes; and all such efforts will be summarily suppressed by the military authorities.

All necessary protection will be supplied and guaranteed at the polls to Union men by all the military force in this command.

By order of John W. Foster, Colonel commanding.

W. A. PAGE, Lieutenant and Adjutant.

OATH TO BE TAKEN AT THE ELECTION.

I do hereby solemnly swear that I have not been in the service of the so-called Confederate States, in either a civil or military capacity, or in the service of the so-called Provisional Government of Kentucky; that I have not given any aid, assistance or comfort to any person in arms against the United States; and that I have in all things demeaned myself as a loyal citizen since the beginning of the rebellion; so help me God!

No. 10.

HEADQUARTERS 16TH ARMY CORPS, }
MEMPHIS, TENN., July 14, 1863. }

Special Orders, No. 159.

1. In so much of the State of Kentucky as is within the District of Columbus, it is ordered—

1. That no person be permitted to be a candidate for office, who is not avowedly and unconditionally for the Union and the suppression of the rebellion.

2. That no person shall exercise the privilege of an elector and vote at said elections, who is not avowedly and unconditionally for the Union and the suppression of the rebellion.

3. The military authorities in said District of Columbus will see to it that this order be carried out. Judges of elections will be governed by the principles herein set forth and will demand evidence upon oaths in such cases as may be in doubt, and allow no person to exercise the franchise of voting who does not take the oath required.

By order of Major General S. A. Hurlbut.

HENRY BINMORE, A. A. G.

HEADQ'RS DIST. COLUMBUS, 6TH DIV., 16TH ARMY CORPS, }
COLUMBUS, KY., July 15, 1863. }

Orders.

The above orders of the General commanding Corps are communicated to the civil and military authorities for their information. Military officers making arrests for violation of these orders will be governed by the Circular from office of Commissary General of Prisons, dated Washington, May 11, 1863.

By order of Brigadier General Asboth.

T. H. HARRIS, A. A. G.

No. 11.

DIST. OF COLUMBUS, HEADQ'RS 6TH DIV., 16TH ARMY CORPS, }
COLUMBUS, KY., July 29, 1863. }

General Orders No. 47.

That no further doubt may exist as to the intent and meaning of Special Orders No. 159, dated Headquarters 16th Army Corps, July 14, 1863, it is ordered that no person shall be permitted to be voted for, or be a candidate for office, who has been, or is now under arrest or bonds, by proper authority, for uttering disloyal language or sentiments.

County Judges within this district are hereby ordered to appoint, as

Judges and Clerks of the ensuing August election, only such persons as are avowedly and unconditionally for the Union and the suppression of the rebellion, and are further ordered to revoke and recall any appointment of Judges and Clerks already made, who are not such loyal persons.

Judges and Clerks of elections are hereby ordered not to place the name of any person upon the poll-books, to be voted for at said election, who is not avowedly and unconditionally for the Union and the suppression of the rebellion, or who may be opposed to furnishing men and money for the suppression of the rebellion.

The following oath is prescribed and will be administered by Judges of elections to voters and to such candidates as reside within this district :

"I do solemnly swear that I have never entered the service of the so-called Confederate States; that I have not been engaged in the service of the so-called 'Provisional Government of Kentucky,' either in a civil or military capacity; that I have never, either directly or indirectly, aided the rebellion against the Government of the United States or the State of Kentucky; that I am unconditionally for the Union and the suppression of the rebellion, and am willing to furnish men and money for the vigorous prosecution of the war against the rebellious league known as the 'Confederate States;' so help me God."

Any voter, Judge or Clerk of elections, or other person, who may evade, neglect or refuse compliance with the provisions of this order will be arrested and sent before a Military Commission as soon as the facts are substantiated.

By order of Brigadier-General Asboth

T. H. HARRIS, A. A. G.

No. 12.

General Order No. 23.

HEADQUARTERS 1ST BRIGADE, 2D DIVISION 23D ARMY CORPS, }
RUSSELLVILLE, KY., July 30, 1863. }

In order that the proclamation of the Governor and the laws of the State of Kentucky may be observed and enforced, post commandants and officers of this command will see that the following regulations are strictly complied with at the approaching State election :

None but loyal citizens will act as officers of the election.

No one will be allowed to offer himself as a candidate for office, or be voted for at said election, who is not in all things loyal to the State and Federal Governments, and in favor of a vigorous prosecution of the war for the suppression of the rebellion.

The judges of the election will allow no one to vote at said election unless he is known to them to be an undoubtedly loyal citizen, or unless he shall first take the oath required by the laws of the State of Kentucky.

No disloyal man will offer himself as a candidate or attempt to vote, except for treasonable purposes; and all such efforts will be summarily suppressed by the military authorities.

All necessary protection will be supplied and guaranteed at the polls to Union men by all the military force within this command.

By order of Brigadier General J. M. Shackelford, commanding.

J. E. HUFFMAN, A. A. G.

OATH TO BE TAKEN AT THE ELECTION.

I do solemnly swear that I have not been in the service of the so-called Confederate States, in either a civil or a military capacity, or in the service of the so-called Provisional Government of Kentucky; that I have not given any aid, assistance or comfort to any person in arms against the United States; and that I have, in all things, demeaned myself as a loyal citizen since the beginning of the present rebellion; so help me God!

No. 13.

REPORT OF MAJOR GIBSON AS TO THE WAY THE ELECTION WAS
HELD AT MOSCOW, KENTUCKY.HEADQUARTERS 31st REGIMENT WISCONSIN VOLS., }
FORT HALECK, KY., August 4, 1863. }*Brigadier-General Asboth, commanding District of Columbus, Sixth Division,
Sixteenth Army Corps:*

GENERAL: In compliance with Special Order No. 17 ("V."), from Post Headquarters, I proceeded in command of eighty men to Moscow, Ky., on the 3d day of August, 1863.

A general election was to be held. The polls were opened at 9 A. M., each of the Judges of election, the Sheriff and Clerk having taken the oath prescribed by the laws of Kentucky. The Judges' names were W. P. Griffee and J. B. Morris, the Sheriff's name Joseph Kennedy, and the Clerk's name Wm. C. Blair.

Major Gibson having read to the Board of Inspectors of election General Hurlbut's Order No. 159, and General Asboth's General Order No. 47, explaining the same, and prescribing the oath to be administered to the voters and candidates, and having read to them General Burnside's order placing the State of Kentucky under martial law, and having stated publicly before the Board, in the presence of the voters, that he was there under proper military orders to enforce a strict compliance with General Asboth's Order No. 47, demanded of the Clerk, Sheriff and Judges that each of them should, before recording a vote, take the oath. They refused to do so on the ground that Gen. Asboth's order, in their opinion, was inconsistent with President Lincoln's proclamation in regard to those who would within a certain time lay down their arms and return to their duty as loyal citizens; that the oath required of them by Gen. Asboth conflicted with their oaths to the constitution and laws of Kentucky, in this: that the constitution of Kentucky guaranteed to the people a *free election*, and that the laws of the State subjected them as inspectors, to fines, forfeitures, penalties, indictments, &c., unless they placed upon the poll-lists the names of *all* candidates voted for, and that they could not, as honorable and conscientious men, take an oath which required them to act as Judges of the election in accordance with the laws of Kentucky, and take an oath prescribed by Gen. Asboth, which did not, in their opinion, coincide with the enactments of the State of Kentucky.

They, as well as the citizens, claimed that the proclamation of Governor Robinson, of Kentucky, was the best authority and exposition in regard to the laws of expatriation and the return of citizens to their duty, and their rights and privileges thereafter; and that under his proclamation *every* citizen who returned to the State and remained peaceable and law-abiding and took the oath of allegiance to the Federal Government, was entitled to protection and to the right of the *elective franchise*.

To this Major Gibson replied that they would subject themselves to similar fines and imprisonment in case they would not comply with General Asboth's order; that as long as the State was under martial law, and that law could be enforced, the civil law was subservient to the military power, and that unless they complied with the order he should have to place them under arrest and take them to Columbus.

In order, however, to act in *strict* accordance with the order (the order not saying in so many words that the judges or inspectors should take the oath), one person, Mr. R. A. Thompson, was allowed to offer to vote. Major Gibson demanded of the judges that they administer the oath prescribed by General Asboth. This they refused to do for the reasons above stated.

Major Gibson then placed them under arrest and requested them to accompany him to Columbus, which they complied with promptly and cheerfully.

Major Rowley was not in town, and they were conducted to General Asboth.

I would state, in conclusion, that the judges informed me that they were appointed by the county judge inspectors of election *previous* to the issue of General Asboth's order, and that they had made application to the county judge to be released from the duties and obligations imposed on them by such appointment, as soon as they heard of such order, and had been refused by the judge.

I most cheerfully acknowledge the prompt and efficient services of Capt. John R. Jones, of the Twenty-second Iowa volunteers.

No. 14.

DEATSVILLE, Nelson County, Ky.

I, Moses D. Leeson, Captain commanding company B, Fifth Indiana Cavalry, hereby certify that under the orders and instructions of Lieutenant-Colonel Thos. H. Butler, commanding Fifth Indiana Cavalry, I ordered the polls to be opened by the regularly appointed Judges, Sheriff and Clerk, viz: W. R. Livers, T. C. Warren, Thos. Cown and R. E. Harrell, and permitted no other candidates' names to appear on the poll-books but the following: For Governor, Thos. E. Bramlette; for Lieutenant-Governor, R. T. Jacob; for Attorney-General, John M. Harlan; for State Treasurer, James Garrard; for Auditor, W. T. Samuels; for Register of Land Office, James A. Davidson; for Superintendent of Public Instruction, Stevenson; for Congress, Aaron Harding; for the Legislature, Dr. W. Elliott; for County Attorney, G. W. Hite; for County Clerk, W. T. Spalding and William M. Powell.

August 3, 1863.

MOSES D. LEESON,

Captain commanding company B, 5th Ind. Cav.

No. 15.

We, the undersigned, do hereby certify, as officers of Precinct No. 2, at Cloverport, Ky., that after opening the polls Captain Hernbrook, by authority from General Shackleford, ordered us to strike off the entire Wickliffe ticket, and also Milton Board's name, from the poll-book, which was accordingly done in obedience to said order.

WM. B. JONES, } Judges.
WM. S. ALLEN, }

Attest: J. C. HEST, Clerk;
J. R. ALLEN, Sheriff.

FORKS OF ROUGH, August 3, 1863.

I do certify that at Rough Creek Spring Precinct, District No. 4, there was a poll opened for C. A. Wickliffe and others forming a Democratic ticket, and for State officers; that I suppressed the same by order of Gen. Shackleford, between seven and eight o'clock A. M.

WM. BROWN, Sergeant in Command.

No. 16.

MCCRACKEN COUNTY.—In this county the election was held under strict military rule. Soldiers were stationed at each precinct. No one was allowed to vote without taking the oath prescribed by Gen. Asboth. The Democratic ticket was struck from the poll-books and not allowed to be voted for.

BULLITT COUNTY.—At Mount Washington the voting commenced about eight o'clock. At nine in the morning Wickliffe had received twenty-one votes and Bramlette three votes. A Lieutenant of cavalry, with a squad of fifty men under his command, then ordered the name of the Democratic candidates to be erased from the poll-books, and this was done.

HANCOCK COUNTY.—At Hawesville a Lieutenant in command of a military force forbade the judges to place the names of the Democratic candidates on the poll-books, and they obeyed, refusing to receive any votes for these candidates. At Lewisport the same course was pursued. At In-

dian Creek no poll was opened for the Democratic ticket. At Lane precinct twenty-two votes were allowed to be cast for Wickliffe.

BALLARD COUNTY.—At Precinct No. 1 there was no interference with voters and Wickliffe received all but two or three of the votes cast. At the remaining precincts the election was conducted by armed soldiers under the orders of Gen. Asboth, all the voters being required to take the oath prescribed in his order. At precinct Nos. 2 and 4 no election was held as the judges refused to hold it unless permitted to conduct it agreeably to the laws of the State.

McLEAN COUNTY.—The Democratic ticket was erased from the poll-books at all but one or two precincts.

CALDWELL COUNTY.—Wickliffe's name was not allowed to go on the poll-books at any of the precincts, although many of the best citizens offered to take the oaths required if permitted to vote for him.

BRECKINRIDGE COUNTY.—The Democratic ticket was stricken from the poll-books at seven out of twelve precincts. At several precincts the Democratic ticket was permitted to be voted for until ten o'clock A. M., and at each of them at the time of suppression there were at least two votes for Wickliffe to one for Bramlette.

GRAVES COUNTY.—The election was conducted under the military orders of Hurlbut and Asboth. The Democratic ticket was not permitted to be placed upon the poll-books at either of nine places of voting. Men were arrested at Mayfield by the military for offering to vote the Democratic ticket.

CALLOWAY COUNTY.—The Bramlette ticket alone was permitted to go upon the poll-books.

HICKMAN COUNTY.—At Columbus, McAllister's and Hays' precincts no polls were opened, as the officers refused to act unless permitted to hold the election according to law. At Moscow precinct the judges were arrested and carried to Columbus. [See Major Gibson's report, No. 13, supra.] At Springhill and Peto precincts the Democratic ticket was not allowed to be voted for. At Clinton an officer attended with Asboth's order, but, on being shown the law of the State, he refused to interfere, and the election was held according to law; but the voters having understood that Asboth's order would be enforced, they remained at home, and not half the Democratic vote of the precinct was cast.

FULTON COUNTY.—At Hickman an officer commanding the troops ordered the judges to suffer no one to be voted for unless they were satisfied he had taken the oath prescribed by Gen. Asboth. The Democratic ticket was therefore not allowed to be voted for at that point, though many offered to vote for it.

MEADE COUNTY.—At Big Spring Capt. Johnson forbade the Democratic ticket to be placed on the poll-books, stating that he was acting under the orders of Gen. Shackelford.

SHELBY COUNTY.—At Doke's precinct no one was allowed to vote unless for Bramlette, though voters offered to take any oath required. They were told that no disloyal man could vote, and an offer to vote the Democratic ticket was evidence of disloyalty.

LYON COUNTY.—Soldiers were stationed at each precinct. The Democratic ticket was not permitted to be voted for.

DAVIESS COUNTY.—At Owensboro the Democratic ticket was not permitted to be entered on the poll-book. At Yelvington the oath required by the State laws only was administered and Wickliffe got two votes to one for Bramlette. At Knottsville the Democratic ticket was erased from the poll-book by the military, as was also done at Curdville, Oakford and Murday's.

HENDERSON COUNTY.—Voters were required to take Gen. Shackelford's oath. At Henderson several persons were arrested for voting the Democratic ticket. At the Hebardville, Spottsville and Tillotson's precincts the Democratic ticket was not allowed on the poll-books. At the Walnut Bottom precinct sixteen votes were cast for Wickliffe and none for Bram-

lette before the arrival of the military, when the officer in command seized the poll-books and carried them to headquarters.

OWEN COUNTY.—In eight precincts no votes were permitted to be cast for Wickliffe. For some reason ninety-seven votes were permitted to be recorded for him in one precinct and thirty-six in another.

NELSON COUNTY.—At Bardstown Col. Butler in person erased the Democratic ticket from the poll-books. At Boston, Bloomfield, High Grove, Deatsville and Ballard's the soldiery prohibited any one from voting for Wickliffe. At Chaplin the military were not permitted to control the election, and Wickliffe got ninety-three votes to six for Bramlette.

WOODFORD COUNTY.—At Versailles the Provost Marshal gave notice at the polls that those who voted the Democratic ticket would leave a record of their disloyalty, so that he would know whose property to seize as the sympathizers in rebellion. Finally, none were allowed to vote who disapproved the negro policy of the Administration.

CONGRESSIONAL DISTRICTS NOS. 6 AND 7.—Voters, in addition to the oath required by law, were required to answer questions as to their feelings, sympathies and wishes. If they failed to answer these satisfactorily, or refused to answer at all, their votes were rejected. Those who had voted early in the day were afterward called back and these questions put to them and their votes erased. All this was done under authority of telegraphic dispatches sent over the Districts, stating that Major M. C. Johnson had "issued an order" that these questions were to be put to voters. Mr. Johnson is a distinguished lawyer of Lexington, and he has since, in a public card, denied that he had ever given such an opinion, but, on the contrary, when consulted by the judges of election, had advised them that such questions were illegal.

No. 17.

OFFICIAL VOTE FOR GOVERNOR, AUGUST 3, 1863.

Counties.....	Thos. E. Bramlette.	Chas. A. Wickliffe.	Total vote in 1863..	White males over 21 in 1862.....	Counties.....	Thos. E. Bramlette.	Chas. A. Wickliffe.	Total vote in 1863..	White males over 21 in 1862.....
Adair	986	18	1,004	1,553	Knox	670	4	674	1,375
Allen	913	5	918	1,613	Lyon	133		133	764
Anderson ..	429	82	511	1,212	Larue	840	175	1,015	1,172
Boyle	579	124	703	1,282	Letcher				633
Bracken ..	931	262	1,193	2,066	Laurel	509	26	535	770
Bullitt	459	172	631	1,096	Lewis	790	11	801	1,760
Bourbon ..	595	118	713	1,003	Lincoln	695	107	802	1,345
Barren	879	366	1,245	2,433	Lawrence ..	594	92	686	1,308
Breck'ridge.	912	158	1,070	2,038	Logan	882	411	1,293	2,091
Boone	449	807	1,256	2,082	Livingston ..	189	225	414	1,055
Bre thitt ..	95	47	142	769	Muhlenb'g. .	1,107	69	1,176	1,304
Ballard	174	52	227	1,385	Madison	959	236	1,185	2,606
Bath	557	70	627	1,606	Montgom'ry	432	113	545	1,165
Butler	882	144	1,026	1,381	Mercer	955	142	1,097	2,119
Boyd	500	58	558	1,079	Marion	1,053	193	1,245	1,727
Campbell ..	1,471	686	2,157	4,456	Mason	926	113	1,059	2,935
Caldwell ..	501		501	1,294	Marshall	944	263	487	1,295
Christian ..	952	134	1,086	2,201	McCracken ..	212		213	1,398
Clarke	615	306	921	1,607	Meade	313	227	540	1,232
Carroll	193	244	437	1,222	Monroe	882	24	906	1,488
Casey	983	16	999	1,340	McLean	530	56	586	864
Clinton				848	Morgan	45	267	312	1,250
Cumberland	447	31	472	1,103	Magoffin	230	94	324	638
Crittenden..	787		787	1,316	Metcalfe	889	8	897	1,257
Carter	563	44	607	1,703	Nicholas	716	3	719	2,073
Calloway ..	297		297	1,624	Nelson	443	225	668	2,015
Clay	511	11	522	1,064	Oldham	354	372	726	978
Davless	733	132	865	2,644	Owen	309	133	442	2,161
Edmonson ..	519	108	627	781	Ohio	1,211	448	1,659	2,232
Estill	596	38	634	1,241	Owsley	537		537	826
Franklin ..	674	175	849	2,091	Perry				857
Fayette	896	367	1,263	2,655	Pulaski	1,510	80	1,590	2,833
Floyd	60	51	111	1,095	Pike				1,260
Fleming	877	119	896	2,209	Pendleton ..	845	116	861	2,235
Fulton	40	143	183	982	Powell	169	82	251	428
Gallatin ..	236	195	431	917	Rowan	114	7	121	435
Graves	730		730	2,137	Rockcastle ..	598	8	606	1,055
Greenup	614	150	764	1,523	Russell	497	38	535	1,035
Grant	572	206	778	1,709	Simpson	390	124	514	1,137
Grayson ..	911	305	1,216	1,507	Shelby	810	527	1,337	2,150
Garrard	763	46	809	1,313	Scott	493	467	960	2,068
Green	805	36	841	1,252	Spencer	199	414	613	897
Hopkins	564	29	593	1,973	Todd	572	6	583	1,371
Henderson ..	266	138	404	1,601	Taylor	752	51	803	1,259
Hardin	1,047	720	1,767	2,614	Trigg	475	1	476	1,635
Hancock ..	322	22	344	1,097	Trimble	114	134	248	1,060
Henry	836	384	1,210	1,958	Union	272	17	289	1,604
Harlan				869	Woodford	351	168	519	1,263
Hart	1,051	249	1,300	1,825	Wayne	331	89	420	1,642
Harrison ..	768	397	1,165	2,254	Warren	1,259	213	1,572	2,480
Hickman ..	61	95	156	929	Whitley	706		706	1,382
Jessamine ..	492	58	550	1,366	Washingt'n	1,089	127	1,216	1,725
Jefferson ..	4,629	2,052	6,681	15,257	Webster	414	53	467	1,289
Johnson ..				914	Wolfe	50	56	106	569
Jackson	313		313	473					
Kenton	1,906	383	2,289	5,188	Total	67,586	17,344	84,930	182,246

Additional unofficial returns have been received as follows: Harlan county—Bramlette, 271; Wickliffe, 00. Johnson county—Bramlette, 446; Wickliffe, 00. Perry county—Bramlette, 103, Wickliffe, 00.

No. 18.

EXTRACT FROM MR. BRAMLETTE'S INAUGURAL ADDRESS.

1st. Much is said about military arrests, as arbitrary and unconstitutional. Much of this clamor is gotten up by those who are not only ignorant of constitutional powers and duties, but whose real purpose is to destroy, not to sustain the Constitution. The Constitution is always the same, though the powers and duties of the various departments and tribunals of government are very different and various. The rule which controls the action of civil departments is often very different from the rule which governs military action. The judiciary look to the statutes and judicial precedent for rules of decision. The military to the articles of war and the usages of civilized nations to settle belligerent rights. The one may do what the other may not do, and yet each be strictly within the limits of duty and right. The abuse of power is not an abrogation of its rightful exercise. We should, therefore, only correct the abuse without restricting the power. The civil authorities rule by force of reason; the military by physical force. The rebellion has appealed from the civil tribunals, which rule by force of reason, to the military powers, which rule by physical force. Each has its appropriate rules—the one just as constitutional as the other, but very different. Until the rebellion dismisses its appeal, and consents to the civil rule, the law must be expounded by the rules of the power to which they have appealed. The power to suppress a rebellion is limited only by the statutes of the country where it exists, and by the usages of civilized nations. When the rebellion is suppressed, and the rebels consent to submit to the civil instead of the military rule, then the civil will take the place of the military, and judicial precedent will again become the rule of interpretation. Those who appeal from the civil to the military authorities are great simpletons if they expect the argument of the bayonet to be constructed upon judicial precedent.

2d. Much of this form of treasonable opposition is attempted under a clamor for free speech and free press! Liberty of speech and of the press, as well as of action, must remain unabridged so long as our Government exists in its present form. But freedom and license are very different and repugnant. Free speech is not a licensed tongue. A licentious is not a free press! To do, to say, to write, to print, what we have a right to do, to say, to write or print, is the freedom for which we contend. We should not be free to do what we have no right to do. We are at liberty to commit murder, but we have no right to do so. We are at liberty to slander our neighbor, to commit treason, to speak or print treasonable or seditious speeches, in time of rebellion, but we have no right to do so; and it is no abridgment of our rights as freemen to punish us for such abuses of liberty, or restrain us when reasonable grounds exist to believe we have been guilty, or are about to commit such acts, to the danger of the public or private security. Some are more hurtful in speech than action. Some will encourage and promote treason, without the courage to act it out themselves, and when seized and placed under just restraint they clamor for the "sacred right of free speech and free press." Let him who does, or says, or prints, what he has no right to do, to the injury of others or the public, be held responsible for such acts. To have it otherwise would be to make licentiousness the definition of liberty. The tongue and the press, like man, should be free, but not lawless. Let them act, being amenable for acting wrong. Good and evil being set before them—and they free to choose—but must gather the fruits of that choice.

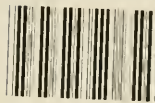
3d. But when measures are adopted to crush the rebellion, which we deem unwise or unjust, we will not approve, but will exercise our right to oppose and correct in a legitimate way. Because we furnish the means we do not commit ourselves in favor of the modes of applying them. It is our duty to supply the means; the duty of others to apply them. Those charged with the application are responsible for any misdirection or abuse of the means. We are responsible for the means; they for the expenditure.

4th. In this connection it may not be amiss to say that we have a decided objection to organizing and arming negro regiments. Our objection is not, to the power, for it is admitted that whatever may be taken for use in war all its available uses, may be appropriated. Nor is our objection because of any respect for rebels, but from regard to the self-respect and interests of loyal men. Our objection is, that the arming of negroes humiliates the just pride of loyal men and injuriously affects their interests. The loyal man is as much injured by the arming of negroes as the disloyal man. The injury is indiscriminate.



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pH 8
Mill Run

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Hollinger
pH 8.5
Mill Run F3-1955